

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JOSHUA JON VLAMINCK,

Plaintiff,

v.

ORDER

Civil File No. 10-4910 (MJD/FLN)

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

John H. Burns, Counsel for Plaintiff.

David W. Fuller, Assistant United States Attorney, Counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel filed January 25, 2012. Plaintiff Joshua Jon Vlaminck filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Noel filed January 25, 2012.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED:

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Franklin L. Noel filed January 25, 2012 [Docket No. 20].
2. Plaintiff's Motion for Summary Judgment [Docket No. 10] is **DENIED**.
3. Defendant's Motion for Summary Judgment [Docket No. 16] is **GRANTED**.
4. The Commissioner's decision is **AFFIRMED** and this case is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 23, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court